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COMMINICATION

COMMINICATION

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November 24, 2003

Dear Reviewer:

Enclosed for your review is the Draft Environmental Assessment (EA) for the reconstruction of the Whiterocks State Fish Hatchery. The Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission), in cooperation with the Utah Division of Wildlife Resources (Division) proposes to reconstruct the existing hatchery so that the Division can increase production of cold water sport fish to satisfy projected demands for fish in waters associated with the Colorado River Storage Project.

The EA has two purposes: to provide the Mitigation Commission with adequate information to make an informed decision on the proposed reconstruction and to inform the public so that you may express your concerns.

To meet these purposes, the EA is organized in the following chapters: Chapter I provides background, describes the purpose and need for the project, and identifies the Proposed Action.

Chapter 2 describes the Proposed Action, alternatives to the Proposed Action, and alternatives considered but eliminated from detailed analysis.

Chapter 3 provides chapter provides a description of the existing environment area that could be affected by the alternatives.

Chapter 4 describes the environmental effects that are likely to result from the identified alternatives.

Chapters 5 and 6 provide a list of preparers, a list of those entities that were consulted during preparation of the document, and the references used.

Please review the document and provide comments by January 9, 2004 to Maureen Wilson at the above address. If you have any questions, please contact her at (801) 524-3146.

Sincerely,

) Mara Atolden

Michael C. Weland, Executive Director

enclosure

DRAFT ENVIRONMENTAL ASSESSMENT:

RECONSTRUCTION OF THE WHITEROCKS STATE FISH HATCHERY

November 2003

Utah Division of Wildlife Resources

Utah Reclamation Mitigation and Conservation Commission

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CHAPTER 1 - PURPOSE, NEED, AND ISSUES

1.1 BACKGROUND

As part of the Colorado River Storage Project (Project), several major reservoirs were constructed in Utah. These reservoir fisheries, which provide significant sport fishing opportunity and have proven to be immensely popular with anglers, are heavily dependent on supplemental stocking of sport fish. Through reservoir construction and related water development, the Project has also affected native fish populations in several streams and rivers. Stocking of streams and rivers can facilitate native fish conservation and recovery efforts.

In 1992 the Congress established the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission) to coordinate implementation of mitigation and conservation measures associated with the Central Utah Project and other federal reclamation water development projects in Utah. Section 313(c) of the Central Utah Project Completion Act (CUPCA; Public Law 120:575, the legislation that created the Mitigation Commission) required the development of a *Fish Hatchery Production Plan (Plan)* to outline fish hatchery improvement and construction priorities as a means of addressing the mitigation and conservation purposes identified in CUPCA. Implementing the *Plan* would increase production of warm-water and cold-water fish for Project-affected waters in Utah

As *Plan* development progressed, it became apparent that funding authorized for increased hatchery production under CUPCA could only provide for approximately 50% of the estimated cold-water fish needs. Site-specific feasibility studies of existing and proposed hatchery sites were conducted to determine which site improvements and combination of sites would best utilize available funding. In an effort to increase the total funding available for hatchery construction, the Utah Division of Wildlife Resources (Division) and the Mitigation Commission also entered into a cooperative funding arrangement by which the Mitigation Commission would provide 75% and the State would contribute 25% of the costs associated with construction activities described in the *Plan* for Division cold-water facilities. The *Plan* subsequently identified the reconstruction of the Kamas and Fountain Green State Fish Hatcheries, and a partial reconstruction of the Whiterocks State Fish Hatchery as among the actions which best serve to address cold-water production needs at the level of federal funding presently authorized. The *Plan* was initially developed in 1994 but was revised in 1998 to incorporate updated information on agency priorities and policies, hatchery construction feasibility, fish stocking needs, and statewide stocking effects. An environmental assessment was conducted, and a Decision Notice and Finding of No Significant Impact for implementation of the Plan was issued in 1998 (U.S. Fish and Wildlife Service and Mitigation Commission 1998).

The necessary site-specific environmental assessments for reconstruction of both the Kamas and Fountain Hatcheries were completed, and both these facilities have been rebuilt. Reconstruction measures proposed for the Whiterocks Hatchery under the *Plan*, the subject of this document, include rehabilitation of the existing water supply and internal water delivery systems, installation of an oxygen injection system, and construction of a new hatchery/lab/office

building. These measures, described collectively in the *Plan* and supporting feasibility studies as "Priority 1" reconstruction (hereafter referred to as partial reconstruction), would have increased total production at the facility to 87,700 pounds, an increase of approximately 52,200 pounds above current capacity at an estimated cost of approximately \$2.4 million (FishPro, Inc. 1996). It is anticipated that partial reconstruction would commit federal funds commensurate with the level of improvements identified in the *Plan*. In contrast, a complete reconstruction of the Whiterocks Hatchery which would include replacement of the existing raceways, residences, and associated infrastructure in addition to the previously described measures, would result in a station capacity of approximately 131,400 pounds, an increase of nearly 96,000 pounds at an estimated cost of approximately \$5.1 million.

The Division believes that complete reconstruction of the Whiterocks Hatchery is in the best interest of the State and the Mitigation Commission. It is projected that full reconstruction of the facility would provide an additional 43,000 pounds of capacity above the production level estimated for partial reconstruction and therefore would better fulfill total fish needs as enumerated in the *Plan*. In addition, a fully reconstructed station offers inherent long-term operational, administrative and staffing benefits. For these reasons, the Division in correspondence to the Mitigation Commission has formally stated its intention to use its own funds, as they become available, to finish reconstruction of the facility once Mitigation Commission program funds are expended. Because total reconstruction would maximize the capacity of the Whiterocks Hatchery, thereby enhancing the overall ability of the station to help meet the fish needs objectives described in the *Plan* and providing additional ancillary benefits, it was further determined that total reconstruction of the facility should be considered the Proposed Action, to be more fully described in Chapter 2.

1.2 PURPOSE AND NEED

The underlying need of this proposal is to increase coldwater fish production associated with the Whiterocks Hatchery (Figure 1in order to help satisfy long-term demands for fish for Project waters, as determined by the *Plan*, which is not currently possible because of inadequate production capability at existing facilities. The Whiterocks Hatchery has been in operation since 1923, nearly 80 years. Although some features have been replaced since original construction, the hatchery overall has deteriorated badly and cannot meet the rearing objectives developed for it by the Division without refurbishment (Figure 2).

The Division's design objectives for the full reconstruction of the Whiterocks Hatchery (Division 1996) would result in approximately 131,400 pounds of coldwater fish production annually, a

95,900-pound (270%) increase over the present production capacity. This capacity would supply approximately 11% of the increase in annual coldwater sport fish production necessary to fulfill total fish needs identified in the *Plan*.

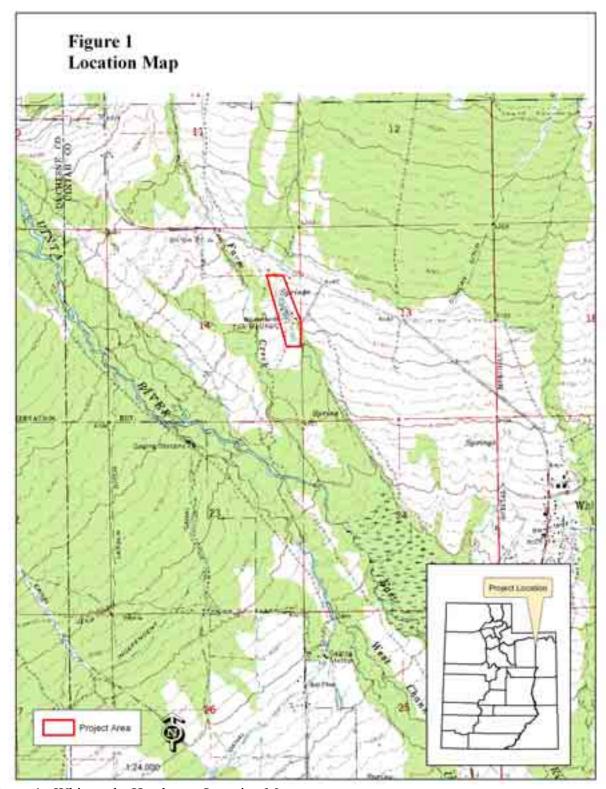


Figure 1. Whiterocks Hatchery - Location Map

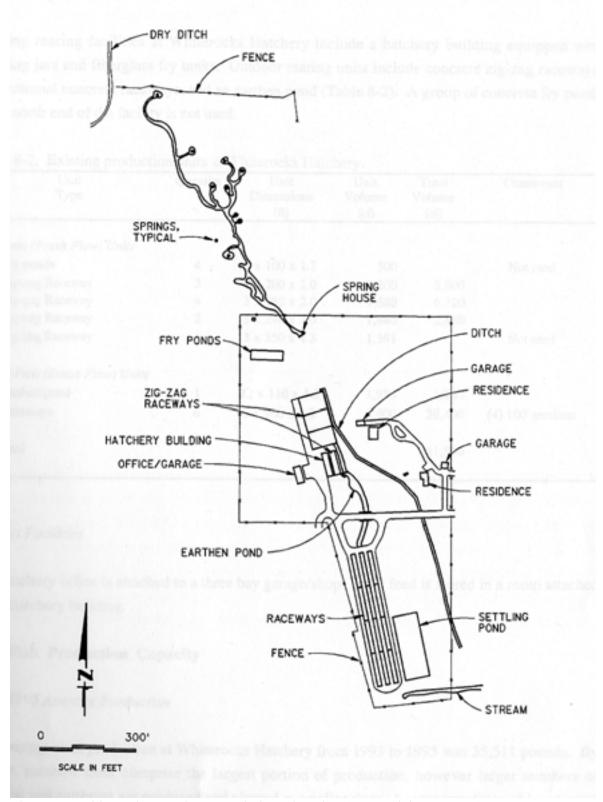


Figure 2. Whiterocks Hatchery - Existing Site Plan (From FishPro, 1996).

The design objectives also reflect Mitigation Commission priorities for funding improvement at fish hatcheries as described in the revised 1998 *Plan*, page 1-3. In addition to meeting fish production needs, each hatchery improvement project developed under the auspices of the *Plan* should:

- be cost-effective [both capital and operations and maintenance (O&M)] and/or provide the versatility to respond to future management objectives and species and/or size of the hatchery product,
- optimize capital costs and minimize long-term O&M costs,
- perpetuate or increase existing hatchery production capabilities where possible in meeting increased production demands,
- complement other Federal, State or Tribal programs, such as species conservation strategies,
- implement projects with substantial matching fund contributions,
- provide educational opportunities, and
- where feasible, provide environmental enhancement at hatchery sites.

Similar to the improvements at the Kamas and Fountain Green Hatcheries, the Utah Division of Facilities Construction and Management would provide project oversight at all levels and develop, award, and supervise all design and construction contracts associated with the Proposed Action. The Proposed Action will comply with all the applicable criteria noted above.

The decision to be made by the Mitigation Commission is to commit federal funds commensurate with the level of improvements identified in the *Plan* to implement the Proposed Action to reconstruct the Whiterocks State Fish Hatchery.

1.3 ISSUES

During the spring of 2002, 140 individuals, agencies, or organizations were sent a brief scoping notice, which outlined the nature of the Proposed Action (reconstruction of the Whiterocks Hatchery) and the method for providing comments. A total of seven responses were received. Of those, five contained comments in direct response to the Proposed Action. For the most part, issues identified by the public and agencies during the formal scoping process had already been anticipated as relevant concerns by Mitigation Commission and Division staff. In addition to issues raised during scoping, Mitigation Commission and Division staffs have identified potential issues during ongoing and routine project coordination.

1.3.1 Issues Considered Relevant to the Proposed Action

The following issues were raised by one or more respondents or cooperating agencies and were considered relevant to the Proposed Action.

• Water Quality

A general concern was expressed for potential impacts to stream water quality downstream of the hatchery discharge point. The issue is whether the reconstructed hatchery would be in compliance with the pertinent discharge permit.

Wetlands

A respondent recommended that adverse impacts to springs or wetland complexes should be minimized. Agencies also recognized the need to comply with requirements associated with any necessary U.S. Army Corps of Engineers (Corps) permit for modification of wetlands.

Noxious Weeds

A respondent requested that a survey for noxious weeds be conducted to anticipate the scope of potential infestations of areas disturbed during construction. It was further requested that measures to avoid or control these species be described.

• Raptor Protection

A respondent recommended that appropriate mitigation measures that would minimize adverse impacts to roosting raptors be incorporated when installing power lines.

1.3.2 Issues Considered but Eliminated from Detailed Analysis

• *Information and Education Topics*

A respondent recommended that the emphasized topics of any developed information and education components include the value of native species and aquatic ecosystems. The *Plan* stipulates that public education measures which provide information on the use of hatcheries as a management tool and the importance of habitat to sustain both wild and stocked fish populations be incorporated in hatcheries built or reconstructed through the use of CUPCA funds. Additional informational messages may also be presented, particularly if they serve an identified mitigative requirement. The topics suggested by the respondent are certainly worthy of consideration, however, the specific content of any message beyond the generalities mentioned above is beyond the scope of this analysis.

• Facility Use

A respondent asked if the new facility would be primarily used for the propagation and/or restoration of Colorado River cutthroat trout (*Oncorhynchus clarki pleuriticus*). Colorado River cutthroat trout present in the statewide hatchery system originate from eggs taken from brood stock in Sheep Creek Lake and are hatched and reared at the Fisheries Experiment Station in Logan, Utah. Once reconstructed, the Whiterocks Hatchery will be capable of rearing all species of salmonids associated with the Division's sport fish programs. Specific production targets for

species and size are dictated by overall program needs; the past performance and current functionality of each facility; and water quality and supply characteristics. As with most existing state hatcheries, the Whiterocks Hatchery production goals could change in response to shifts in program needs. The Whiterocks Hatchery currently rears primarily rainbow trout (*O. mykiss*), kokanee (*O. nerka*), brown trout (*Salmo trutta*), and brook trout (*Salvelinus fontinalis*). As of this writing, we do not anticipate that the identified mix of species will change in the foreseeable future.

• Interagency Program Coordination

A respondent questioned how the Northern Ute Tribe's Big Spring Hatchery and the Tribe's stocking plans relate to the state's culture facilities and stocking program. The intention of the comment was to ascertain the potential for various agencies with culture facilities to work together for the benefit of the fishery resource in northeastern Utah.

All culture facilities that were identified in the *Plan* and associated Decision Notice were evaluated as individual projects which, when considered as a whole, were judged to best address the overall mitigation objective of the *Plan*. Individual facilities, including the proposed construction of the Big Springs facility and reconstruction of the Whiterocks Hatchery, still retain their own production goals that, collectively, contribute to overall *Plan* objectives, and there is no requirement that any one facility necessarily justifies or negates the need for any or all the others.

As with the two state hatcheries previously built or reconstructed under the *Plan*, the Whiterocks Hatchery reconstruction is considered a stand-alone project for the sake of this analysis. The need to reconstruct this facility under the *Plan* remains whether or not coordinated management programs exist. Mutually beneficial and supportive programs among management entities are always a laudable goal, however, consideration of such an action is beyond the scope of this document.

• Facility Design Considerations

Another respondent suggested that the new facility incorporate exclosures to reduce fish loss due to avian predators. The same respondent also suggested that the new hatchery be designed to include as many energy-saving measures as possible. Both of these suggestions are certainly worthy of eventual consideration, and the project will incorporate measures that will, as noted under Purpose and Need above, optimize capital costs and minimize long-term O&M costs. It is not the purpose of this document however to serve as a vehicle for specific design decisions. Regardless of specific design features that may or may not be incorporated to address the issue, any necessary predator control will be implemented in accordance with appurtenant policies, regulations, and laws.

• Loss of Existing Production Capacity Due to Construction

A respondent questioned how the Division would accommodate the loss of the 35,500 pounds of hatchery production that will occur during the period that the hatchery is out of service, and what effect that reduction would have on the Division's sport fish program. Any reduction in statewide cold-water production resulting from the reconstruction of the Whiterocks Hatchery will be temporary. It is also expected that the hatchery could continue to hold some fish on station during the construction period depending on the work schedule and the specific culture requirements of the fish at that time. In addition, even if it is assumed that all production at Whiterocks Hatchery is lost for the entire construction period, minor operational modifications will allow other hatcheries in the system to absorb most, if not all, of any temporary production loss. Overall, programmatic impacts of that short-term reduction are expected to be insignificant.

CHAPTER 2 - ALTERNATIVES

This chapter describes the Proposed Action, alternatives to the Proposed Action (including the No Action Alternative), and alternatives considered but eliminated from detailed analysis.

2.1 PROPOSED ACTION - Full Reconstruction of the Whiterocks Hatchery

The Proposed Action would be to reconstruct, operate, and maintain the Whiterocks Hatchery so that it can satisfy the long-term fish demands (131,400 pounds of fish per year) as described by the *Plan* (Figure 3). The 131,400 lb production target for the Whiterocks Hatchery represents the optimum utilization of the water supply and site conditions (i.e., land available and latest technology) and reflects the desired species composition, size, and production history. Facility design would begin in late fall of 2003 or early winter 2004, after fulfillment of the National Environmental Policy Act (NEPA) compliance. Major construction would begin in the spring of 2004 and be completed by spring/summer of 2005.

2.1.1 General Physical Components

The Whiterocks Hatchery is situated in the central portion of the E1/2 of the E1/2, Section 14, T1N, R1W, Uinta Special Meridian, Uintah County, Utah, approximately 4 miles northeast of the town of Whiterocks (Figure 1).

Most of the existing raceways and other structures would be demolished to accommodate the new facilities. The construction debris would be removed from the site and transported to landfills. The existing concrete fry ponds and upper zigzag raceways would be removed, the surface elevation returned to the approximate local contour, and the site vegetated. A replacement bank of raceways would be constructed further south (downstream) near the site of the existing hatchery building to more efficiently utilize the hydraulic head differential of the system. Further to the south, the existing raceways would be demolished. New concrete raceways would incorporate several technological design improvements to increase productivity and ease of operation. Raceways would be sized to meet biological and operational criteria, and fitted with baffles, solids removal systems, low-head oxygenators, and plumbed to allow increased control of water supply.

The improved facility will continue to use the Division's existing 11.7 cfs water right. The water collection system for this supply is located on a 20-acre parcel of trust land administered by the Bureau of Indian Affairs (Bureau) on behalf of the Ute Indian Tribe and under lease to the Division (leased Bureau parcel.) The leased Bureau parcel is located immediately north of and

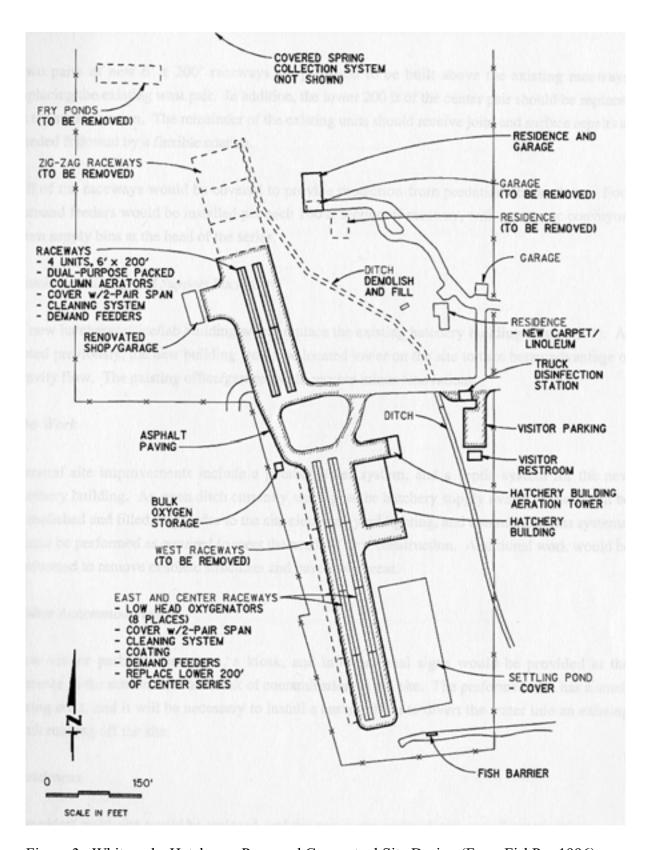


Figure 3. Whiterocks Hatchery - Proposed Conceptual Site Design (From FishPro 1996).

adjacent to the state-owned hatchery site. The current lease agreement, negotiated in 2000, is in effect for a period of 25 years with an option to renew for an additional 25 years. The agreement requires that the Division maintain the leased Bureau parcel in an agricultural status (or in its existing state, with no more uses or developments than those recognized in the lease) and allows the Division to capture, preserve and enhance the springs for the sole continued purpose of fish culture. These lease provisions allow the Division to protect the spring source from land-use activities that might otherwise compromise water quality.

The existing water collection system encompasses an area of approximately 3.5 acres and consists of a series of buried perforated pipes and terminal collection boxes located on the leased Bureau parcel and underlying the spring complex, locally known as Provo Dick Spring. Although general maps of the system exist, there are no known "as built" diagrams or other engineering records that provide a precise location of the existing subsurface components of the of the original collection system. Barring unforeseen circumstances, it is assumed that replacement of the existing pipe and collection box system with an upgraded system along the existing alignment will be adequate to satisfy the needs of the reconstructed hatchery. A subsurface infiltration gallery, located entirely on the state-owned parcel immediately downstream of the spring complex, will also be installed to augment the pipe collection system. Regardless of the final design of the water collection system, any quantity of water in excess of the facility's existing water right would be bypassed and continue downstream. All flows diverted for fish production would be returned to the natural spring channel immediately below the facility.

Water diverted to the facility would be passed through de-gassing columns to reduce the concentration of dissolved nitrogen, naturally present in the available spring water and harmful to fish in high concentrations. The water would then be routed through the raceways and hatchery building, as necessary. Supplemental oxygen would be introduced to the water supply at several places during water passage through the facility. This oxygen injection process allows water to be reused several times and increases the production capacity of the facility.

A new hatchery building, where eggs are hatched and fry are grown to fingerling size (a few inches long) before they are moved into outdoor raceways, would be constructed at a new site adjacent to the south raceways. Relocation on this site allows for better use of gravity flow of the water supply to the building. The new hatchery building will also incorporate office and laboratory space. The existing office/garage building would undergo minor renovation and will serve as both garage and storage area.

The hatchery is designed to use gravity-flow production water, with backup pumps, standby electrical power generators, and alarm systems where pumping is necessary. This combination of features would reduce the O&M requirements and reduce the likelihood that power failure or equipment malfunction would result in the loss of fish stocks.

A visitor display site would be developed to foster increased public understanding of the hatchery production program and the importance of habitat to sustain both wild and stocked fish

populations. On-site housing for key staff will be provided for the sole convenience of the state. This permits prompt response to emergencies and provides for general security of fish stocks, the leased Bureau parcel, and physical plant. One of the existing residences will be replaced, and the second will be upgraded or replaced. The site will be paved and landscaped, as necessary.

2.1.2 Water Quality and Quantity

Effluent will be treated to comply with the Utah Pollution Discharge Elimination System (UPDES) permit, administered by the Utah Division of Water Quality (UDWQ). At present, the water quality parameters currently regulated at the Whiterocks Hatchery are total suspended solids (TSS), total dissolved solids (TDS), and pH. The current discharge permit (Permit Number UTG130000) requires TSS concentration to be maintained below 25 mg/l. As part of the UPDES permit and monitoring requirements, the concentration of TDS measured at the point of discharge can be no more than 100 mg/l higher than that measured at the water source. Allowable pH ranges from 6.5 to 9.0. Implementation of the Proposed Action and the resultant increase in total capacity at the facility will not necessitate any modification of the existing UPDES permit. Permit requirements and monitoring standards for the reconstructed hatchery will be identical to the present facility.

Removal of solids from the hatchery effluent will be improved by use of baffled, self-cleaning raceways, a settling basin and/or microscreen filters, temporary storage of solids, and subsequent disposal off-site. Use of reduced phosphorus feed formulations would also likely reduce TSS, achieve moderate reductions in phosphorus discharge, and slight reductions in organic nitrogen and ammonia. These latter three parameters are not regulated under current state and federal law but nonetheless are of some importance to culturists. All collected water used for fish production will be treated to remove suspended solids prior to discharge. It is anticipated the reconstructed facility will easily comply with permit requirements.

The facility will continue to use the Division's existing 11.7 cfs water right. No additional water rights will be necessary. There are no consumptive uses of diverted water for fish culture, and the total flow diverted to the facility will be released undiminished to the natural stream channel.

2.1.3 Wetlands

Impacts to the leased Bureau parcel would stem from necessary excavation and replacement of the existing water collection system. The replacement collection system would consist of a series of perforated pipes with terminal collection boxes buried in infiltration trenches along the general alignment of the existing system. The spring complex overlying the existing collection system encompasses approximately 3.5 acres of jurisdictional wetland (Figure 4a). No significant expansion of the existing system footprint is anticipated. Direct construction-related impacts would occur on somewhat less than 3.5 acres.



Figure 4a. Delineated wetlands associated with the Whiterocks Hatchery site spring source (leased Bureau parcel). Scale: 1"=200'. Data points = *. Wetland flag = \circ . Site acres = 4.4 (\square); wetland acres = 3.5 (\circ). Delineators: Leslie Gecy and Mindy Wheeler; completed August 15, 2002.

On the 14-acre parcel in state ownership, existing open-water ditches and ponds would be eliminated where possible. This action is necessary to eliminate bottom sediments and minimize the potential for infestation of the introduced aquatic worm, *Tubifex tubifex*, the primary host for the metazoan parasite that causes whirling disease in trout. Small wetlands associated with existing pipelines, raceways, and other features will also likely be eliminated. It is anticipated that construction will affect an estimated 1.6 acres of wetlands (Figure 4b).

On-site mitigation measures on the leased Bureau parcel could include actions such as control of invasive/noxious plant species, rejuvenation of decadent willow stands, planting of desirable wetland species, opportunistic conversion of existing open-water ditches and ponds to meadow wetlands, monitoring to determine impacts of increased efficiency in subsurface water collection, and implementation of Best Management Practices during construction. Any mitigation or enhancement activities that might be proposed for the leased Bureau parcel north of the hatchery site will require the concurrence of the Bureau's Superintendent of the Uintah and Ouray Agency (Superintendent). Opportunities to mitigate for wetland losses on the state parcel will likely be limited due to the anticipated lack of available space and whirling disease considerations.

An appropriate Section 404 (Clean Water Act) permit that will address specific mitigation requirements will be required prior to construction. Consultation with the U.S. Army Corps of Engineers (Colorado/Gunnison Basin Regulatory Office) was initiated early in project development and is continuing. As part of the permitting process, wetlands at the site were delineated and the associated reports were submitted to the Corps for review and approval. After field review, the Corps accepted the wetlands delineation report and associated conclusions in correspondence dated August 23, 2003.

Preliminary permitting discussions have also been held with the Corps at the site. Permit stipulations and any necessary mitigation measures have yet to be finalized, however, it is the Corps' initial preference that all such mitigation actions be "on-site and in-kind" to the degree possible. Wetland mapping data derived from the delineation report will assist design engineers to avoid sensitive areas and minimize wetland impacts where possible.

2.1.4 Noxious Weeds

Surveys for noxious plant species were conducted in conjunction with wetlands delineations, cultural surveys, and other onsite investigations. In addition to those species specifically documented during those surveys, there exist a suite of other species that are known to occur in the region that could potentially become established in areas disturbed during construction. Most disturbed areas on the 14-acre hatchery site owned by the state will be paved, landscaped, or otherwise revegetated as part of the reconstruction process, thereby minimizing opportunities for noxious weeds to become established. Surface disturbances on the 20-acre leased Bureau parcel will be restricted to that area associated with the water collection system rehabilitation and possibly a small area of uplands that may be used as a temporary staging area for materials used in reconstruction.

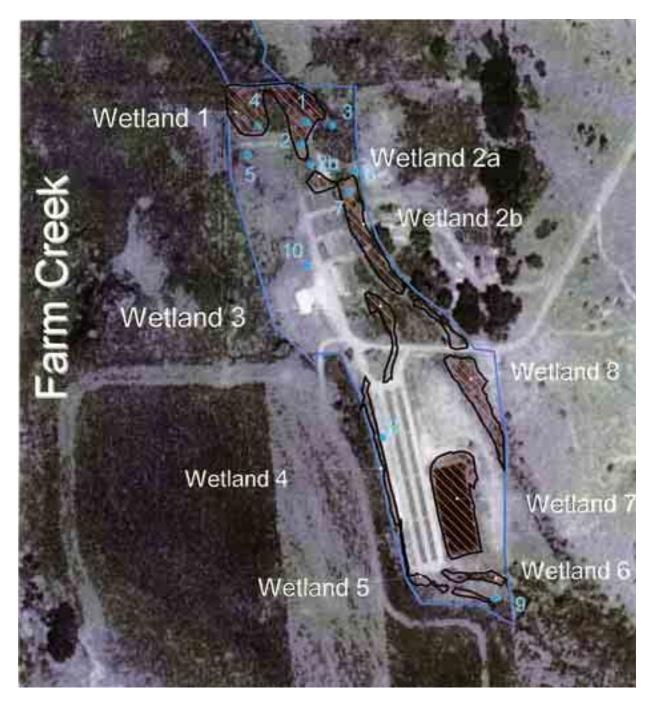


Figure 4b. Delineated wetlands associated with the Whiterocks Hatchery site. Scale: 1"=200'. Data points = *. Site acres = 9.0 (\square); wetland acres = 1.975 (\lozenge). Delineators: Leslie Gecy and Mindy Wheeler; completed May 3, 2003.

Commonly accepted mitigative practices would be implemented to minimize disturbance of soils during the reconstruction of the water collection system. These techniques include stockpiling and replacement of soil layers, a prohibition of imported soil for backfilling, the use of mats to minimize soil disturbance, etc. Further, post-construction monitoring of any areas of likely infestation will be incorporated as part of the hatchery's routine maintenance program. Infestations of noxious weed discovered will be controlled using accepted methods. Weed control activities proposed for the leased Bureau parcel north of the hatchery site require the concurrence of the Superintendent.

2.1.5 Raptor Protection

More fully advanced design work cannot be initiated until after NEPA compliance is completed. Consequently, it is not possible to develop specific design criteria or determine whether new power poles, transformers, or power line configurations will even be necessary. It can be categorically stated however that any temporary or permanent structures or components for power transmission that are required for reconstruction will conform to recommended design configurations as presented in the Avian Power Lines Interaction Committee's most recent publications to minimize risk of raptor electrocutions. Appropriate measures designed to avoid adverse impacts to raptors will be implemented (U.S. Fish and Wildlife Service 2002).

2.1.6 Traffic-related Disturbance

Facility design will commence during the fall 2003 or winter of 2004, immediately after NEPA compliance and issuance of a Record of Decision. Major construction will begin in the spring of 2004 as soon as weather permits and be completed by spring/summer of 2005. In the interest of safety, the Whiterocks Hatchery will be closed to visitors during the construction period. Construction access will be along the existing right-of-way via paved road connecting the hatchery site to the county road. Construction would be generally conducted during daylight, water would be sprayed on access roads to control dust, and litter would be collected regularly. The contractor or other responsible party will notify adjacent landowners as to the construction schedule to minimize traffic-related disturbances. In addition, the Uintah County Road Department will be solicited regarding appropriate cautionary signs for placement along the county road in the vicinity of the hatchery during the construction period.

2.1.7 Operation and Maintenance

In addition to traditional state support, pursuant to Section 313(c) of CUPCA, the U.S. Department of the Interior (Department) intends to participate with the State of Utah by providing O&M funding to support the increased fish production at the Whiterocks Hatchery. This funding obligation has been defined in a separate transfer funding agreement between the Division and the Department, entitled "Draft Cooperative Agreement between the Secretary of the Interior and the Utah Division of Wildlife Resources to Provide for Operation and Maintenance of the Whiterocks State Fish Hatchery." The Draft Cooperative Agreement is under negotiation and will not be finalized until NEPA compliance is completed. This

agreement would reimburse the Division for the anticipated increase in O&M costs attributable to the projected increase in Whiterocks Hatchery production devoted to fulfillment of the fish needs goals as described in the *Plan*.

2.2 NO ACTION - No Reconstruction

This alternative would involve continued operation of existing facilities at the Whiterocks Hatchery without reconstruction and without financial support of hatchery operations and maintenance by the Department.

2.2.1 General Physical Components

The kinds of capital and technological improvement identified for the Proposed Action are possible only through construction of new production facilities. This alternative would not provide those improved facilities or extend the useful life of current facilities. Hatchery production would likely decline as facilities become more dilapidated. The production goals for the Whiterocks Hatchery as identified in the *Plan* would not be met.

2.2.2 Water Quality and Quantity

The existing UPDES permit requirements would continue to be met. The current monitoring stipulations would continue to be implemented. All water diverted for fish culture would continue to be released undiminished to the natural stream channel.

2.2.3 Wetlands

No construction or demolition would occur under the No Action alternative. Wetland expanse and condition would remain as they presently exist. The existing lease agreement between the Division and the Bureau would remain in effect.

2.2.4 Noxious Weeds

Noxious weed control would continue opportunistically as part of routine facility maintenance.

2.2.5 Raptor Protection

The present level of threat associated with existing power poles, transmission lines, and related equipment would remain unchanged.

2.2.6 Traffic-related Disturbance

Without construction, there would be no increase in construction traffic and therefore no need to manage such traffic. Increased visitation would likely occur, although no improved visitor facilities would be provided.

2.2.7 Operation and Maintenance

Because there would be no increased production, there would be no financial support provided by the Department for increases in hatchery operation and maintenance costs.

2.3 ALTERNATIVES CONSIDERED BUT ELIMINATED

The following alternatives were considered then eliminated from further analysis on the basis that they would not have provided reasonable means of fulfilling the need. The specific reasons for eliminating them are discussed.

2.3.1 Building a Completely New Installation at Another Site:

This alternative would consist of finding a new, suitable site with sufficient water supplies, acquiring the land and water rights from presumably willing sellers, and constructing a new state fish hatchery comparable to the proposed facility. No such sites or water supplies are readily identifiable. If a suitable site and water supply could be located and acquired, this alternative would have potential to fulfill the need. This alternative would not be cost effective, however, because substantial land and water costs would have to be added to the costs of constructing, operating, and maintaining a new hatchery capable of producing 131,400 pounds of fish on an annual basis. The doubtful availability of suitable alternative sites and water supplies, combined with significantly increased costs and increased environmental effects of developing a new site, makes implementing this alternative unreasonable.

2.3.2 Shifting Production to Other State Hatcheries:

This alternative would consist of shifting all of the Whiterocks Hatchery's production demand to other hatcheries within the state system. Such an option would be feasible only if other hatcheries had appreciable unused production capacity. At present, no such long-term capacity exists. As such, this alternative is infeasible and would not fulfill the need.

2.3.3 Priority 1 Reconstruction of the Whiterocks Hatchery (Partial Reconstruction):

This alternative would consist of rebuilding the facility only through what was described in the *Plan* as Priority 1, or partial reconstruction. As previously discussed, partial reconstruction was identified as a Plan component because it was anticipated that federal funding for development of state operated cold-water hatcheries would be fully expended by implementing the Phase I. It

is estimated that partial reconstruction would generally allow for the replacement of the existing water collection system and construction of the hatchery building. These basic improvements would increase production by only an estimated 52,000 pounds. Additional reconstruction would not occur under this scenario.

Partial reconstruction has been eliminated from consideration for several reasons. First, the cultural clearance procedures and wetland impacts and permitting processes associated with partial reconstruction are not anticipated to be substantially different from those associated with the total reconstruction Proposed Action. Secondly and more importantly, as previously discussed, the Division has formally stated its intention to use its own funds, as they become available, to complete the remainder of reconstruction once the initial improvements associated with partial reconstruction are made and Mitigation Commission program funds are expended. From a procedural standpoint, the Division's stated intention to complete the reconstruction initially begun with Federal funding is a reasonable and foreseeable consequence that qualifies as a "connected action" worthy of analysis as an alternative. Furthermore, because the State will always elect to seriously consider completing reconstruction of the facility after initial improvements are made, this connectivity will always be present. Consequently, an alternative that consists of only partial reconstruction with no possibility of further construction is not reasonable and, therefore, is dropped from further consideration.

CHAPTER 3 - AFFECTED ENVIRONMENT

This chapter provides a description of the existing environment area that could be affected by the alternatives. The description should facilitate an interpretation of environmental impacts and their potential significance as discussed in Chapter 4.

3.1 TOPOGRAPHY

The Whiterocks Hatchery is located in a shallow swale immediately downstream of a small complex of springs. Slopes trend to the south and are gentle to moderate throughout the site. A steeper slope separates a higher terrace, located on the northeastern side of the properties, from the remainder of the parcels. Elevations site-wide range from roughly 6,120 to 6,180 feet. Two residences, which house facility personnel, are located at an elevation of approximately 6,160 feet. The principal fish culture facilities are situated at approximately 6,150 feet.

3.2 SOILS

Most of the production facilities are located on an alluvial deposit, classified by the Natural Resource and Conservation Service (2002) as Moynier Loam, a poorly drained floodplain soil, which extends downslope from at least the spring complex to the north through the southern terminus of the project area. These sandy and clay loam soils are associated with gentle slopes and are slightly alkaline. The higher elevation terrace areas are composed of Surfaz Loam. These soils are relatively coarse-textured sandy loams interspersed with larger diameter gravels and cobble. They are described as excessively drained and neutral-to-slightly alkaline. A third soil type, the Yarts-Paradox complex, is found on a relatively small portion of the leased Bureau parcel. These soils are alkaline, moderately-drained sandy loams which border the west side of the spring complex.

3.3 **VEGETATION**

Vegetation located on the site is described by Western Wetland Systems (2002). The more xeric upland sites are dominated by Basin sagebrush (*Artemesia tridentata*) and goldeneye (*Viguiere multiflora*). Upland pastures contained orchard grass (*Dactylis glomerata*), timothy (*Phleum pratense*), and Kentucky bluegrass (*Poa pratensis*). Lowland vegetation, particularly in the northern spring complex, is comprised of various grasses, rushes (*Juncus* spp.), sedges (*Carex* spp.), willows (*Salix* spp.), various herbs, trees and shrubs. [A more comprehensive description of wetland vegetation can be found in Section 3.6 below.] Areas proximate to developed facilities, such as raceways, support structures, and residences are landscaped with various ornamental trees and shrubs and planted in lawn grasses.

Two species of weeds, Canada thistle (*Cirsium arvense*), classified as noxious by the State of Utah, and Russian olive (*Eleagnus augustifolia*), classified as noxious by both Uintah and Duchesne Counties, were present in small patches on both the state and leased Bureau parcels.

3.4 WATER SUPPLY

Culinary water is provided to residences and hatchery buildings via an underground well located on the state parcel. Production water at the Whiterocks Hatchery originates from Provo Dick Spring, a spring complex located on the leased Bureau parcel. As previously described, the lease agreement allows the Division to protect the springs from land uses that might otherwise compromise water quality. The existing water collection system consists of a series of buried perforated pipes and terminal collection boxes located on the leased Bureau parcel and underlying the spring complex. The buried pipes, which, according to existing diagrams, consist of one main line and several laterals, collect surface and subsurface water and convey that supply to a main collection box located on the north end of the state-owned parcel. From that point, water is then piped into the facility for fish culture.

Any water in excess of immediate production needs enters a bypass ditch that conveys those flows to the southern property boundary, where they are discharged into the natural stream channel and continue downstream. Flows diverted at the upstream collection box into the hatchery for culture purposes are similarly discharged into the natural channel after culture use and required treatment. There is no consumptive use assigned to water used for fish production at this facility. Thus, all water captured by the collection system is either bypassed or returned to the natural channel after use and available to downstream users.

The reconstructed facility will continue to use the Division's existing 11.7 cubic feet/second (cfs) water right. According to available records, collected flows (which likely does not represent total yield from the spring) have generally fluctuated between approximately 4.5 and 8.3 cfs, depending on the season and local moisture conditions. The temperature of the production water varies between 47° F in January to 51° F in mid-summer. Dissolved oxygen levels generally range between 7.7 and 9.9 mg/l. The water pH is neutral to slightly alkaline (7.0 - 7.5).

3.5 WETLANDS

A total of 5.5 acres of wetlands were delineated on the two properties associated with the operation of the Whiterocks Hatchery (Figures 4a and 4b.). The Bureau leased parcel, which supports the spring complex and water collection system, contains 3.5 acres of jurisdictional wetlands. The wetland vegetative community on this site consists of intermixed emergent marsh and scrub shrub. A variety of forb species were observed. Graminoids, however, provide most of the ground cover and include three species of sedges (*Carex* spp.), four rushes (*Juncus* spp.), and eight grasses. The shrub community consisted of ten species, however yellow and coyote willows (*Salix lutea* and *S. exigua*) predominated.

Wetlands on the state-owned parcel encompass a total of approximately 2.0 acres and are generally associated with constructed open-water ditches and ponds or found in areas where subsurface construction (associated primarily with the raceways) has intercepted subsurface flow and directed water to the surface. There are three wetland vegetative communities on this site: wet meadow, emergent marsh, and scrub shrub. The dominant species were similar to those noted on the previously described leased Bureau parcel, however, the species composition of the associated vegetative communities were generally not as diverse.

3.6 DOWNSTREAM AREAS

Immediately below the hatchery outflow, the natural channel of Provo Dick Springs crosses from state-owned lands to trust lands administer by the Bureau. After flowing generally southeast for approximately 1 mile, the stream enters a shrub-dominated wetland approximately 170 acres in size. Surface flows appear to diffuse throughout this wetland complex, and the channel becomes relatively undefined. It is assumed that these unconsolidated and possibly subsurface flows eventually reach the highly braided East Channel of the Uinta River, where they are available to downstream appropriators.

The only fish observed in the natural spring channel immediately below the Whiterocks Hatchery have been trout species (R. Morrill, Utah Division of Wildlife Resources, personal communication). These fish are assumed to have originated from the hatchery.

3.7 THREATENED, ENDANGERED, CANDIDATE AND STATE SENSITIVE SPECIES

The Utah Field Office of the U.S. Fish and Wildlife Service provided a list of 18 Threatened, Endangered and Candidate species that may occur in the project area by letter dated November 12, 2002 (Table 1). [Subsequent to the receipt of that letter, the listing package for the mountain plover (*Charadrium montanus*) was formally withdrawn.] The potential occurrence for these species has been evaluated and is listed. Potential project impacts on those that are likely to occur or have habitat in the project area are discussed in Chapter 4.8.

The Utah Natural Heritage Program database shows a single record of occurrence near the Whiterocks Hatchery for a species listed as State-Sensitive, the smooth greensnake (*Opheodrys vernalis*). The sighting occurred approximately 1.5 miles from the hatchery.

Table 1. Threatened, Endangered and Candidate Species That May Occur in the Whiterocks Hatchery Project Area.

| Species | Occurrence Potential |
|--|--|
| • | Endangered |
| Shrubby Reed-mustard Schoenocrambe suffrutescens | None. The shrubby reed-mustard grows along semi-barren, white-shale layers of the Green River Formation. It grows in mixed desert shrub and pinyon-juniper communities in southern Duchesne County, outside the project area [Utah Natural Heritage Program website, April, 2003 (Division 2002)]. |
| Bonytail Gila elegans Colorado pikeminnow Ptychocheilus lucius Razorback sucker Xyrauchen texanus Humpback chub Gila cypha | None. These four species occur in the Colorado River drainage, downstream of the project area influence on the Uinta River. They did not historically occur in the project area. (Division 2002). Fish culture is considered a nonconsumptive use of water supplies and will not affect flows in the Colorado River system. |
| Black-footed ferret Mustela nigripes | None. No populations of black-footed ferret or prairie dog colonies occur in the project area. |
| Southwestern Willow Flycatcher Empidonax trailii extimus | None, while there is potential willow flycatcher habitat in the project area, the subspecies that may occur in this portion of the state is <i>E.t. adastus</i> . |
| | Threatened |
| Clay Reed-mustard Schoenocrambe argillacea | None. The Clay reed-mustard grows on the Green River soil formation on substrates of bedrock, scree and fine textured soils in southwestern Uinta County. It does not occur within the project area. (Division 2002). |
| Uinta Basin Hookless cactus Sclerocactus glaucus | None. This species is found in salt desert scrub community and pinyon-juniper woodlands on clays soils that are often covered with cobbles and pebbles. The distribution of the plant is limited to four counties in Colorado and Duchesne and Uinta Counties in Utah. It is located in southeastern Duchesne County, outside the project area. (Division 2002). |
| Ute Ladies'-tresses Spiranthes diluvialis | The orchid has been found on the hatchery grounds in 1992 and 2003. |
| Bald eagle Haliaeetus leucocephalus | Possible wintering bald eagle habitat along the Uinta River. |
| Mexican spotted owl Strix occidentalis lucida | None. The Whiterocks hatchery area does not contain any Mexican Spotted Owl habitat. |
| Canada lynx Lynx canadensis | None. Canada lynx is typically found at elevations above 7,000 -8,000 ft. The area also includes no snowshoe hare, which are associated with Canada lynx. (B. Blackwell, Utah Division of Wildlife Resources, personal communication). |
| | Candidate |
| Graham Beardtongue Penstemon grahamii | None. In Utah, the Graham beardtongue occurs only in the Uinta Basin in Carbon, Duchesne, and Uintah Counties. It grows on semi-barren knolls, ridges, and steep slopes in a mix of fragmented white shale and silty clay soils of the Green River Formation in southeastern Duchesne County. It is located outside the project area. (Division 2002). |
| Horseshoe milkvetch Astragalus equisolensis | None. The horseshoe milkvetch is found on river terrace sands and gravels overlying the Duchsesne River Formation. It is located in central Uinta County and is not found in the project area. (Division 2002). |
| White River beardtongue Penstamon scariosus var. albifluvis | None. The White River beardtongue is found on semi-barren areas of xeric shallow fine textured soils and does not occur on the project site. (Division 2002). |
| Western yellow-billed cuckoo Coccyzus americanus occidentalis | Unlikely. Yellow-billed cuckoos are usually found in large tracts of cottonwood/willow habitats with dense sub-canopies. |

CHAPTER 4 - ENVIRONMENTAL CONSEQUENCES

This chapter describes the environmental effects that are likely to result from the identified alternatives. A summary of those effects can be found at the end of the chapter (Table 3).

4.1 WATER QUALITY AND QUANTITY

Proposed Action:

Total suspended solids (TSS), total dissolved solids (TDS), and pH are the water quality parameters regulated and periodically monitored at the Whiterocks Hatchery under the current UPDES permit. Under current UPDES regulations, an increase in production under the Proposed Action will not necessitate a change in the parameters regulated, discharge limitations, or monitoring requirements. Currently, the discharge from the Whiterocks Hatchery falls well within prescribed limitations for all regulated parameters.

Suspended solids, those materials entrained during routine raceway cleaning that can be removed from the discharge water through filtering, will be reduced significantly through the use of low phosphorus feed formulations; baffled, self-cleaning raceways; and solids filtration and disposal features incorporated as part of the reconstructed facility. Some of the total phosphorus and small amounts of total organic nitrogen and ammonia produced by hatchery operations are contained within the solids and can be removed with them. These parameters are not regulated under current state and federal law but nonetheless are of some importance to culturists. Removal of suspended solids will also reduce phosphorus discharge somewhat and slightly reduce organic nitrogen and ammonia discharge over what would be observed without solids removal.

It is anticipated that the final production capacity (~131,000 pounds) of the reconstructed Whiterocks Hatchery will be closely comparable to that currently produced at the Loa Fish Hatchery (~145,000 pounds). The Loa facility is also within the Colorado River drainage and, thus, subject to the same monitoring requirements as the Whiterocks Hatchery. Most recent data supplied to the Division of Water Quality from monitoring at Loa shows TSS levels of <4.0 mg/l, TDS in the 2-34 mg/l range (with most measurements at 2 mg/l), and pH in the 7.4-8.1 range. All regulated and routinely monitored water quality parameters at the Loa station are well within acceptable limits. In summary, even with the proposed increase in production capacity, it is anticipated that the reconstructed Whiterocks Hatchery will easily comply with permit requirements.

Water quantity will also not significantly differ from that currently observed. Because water is not consumed in the culture process, stream flows downstream of the facility will not change significantly from the current condition. In other words, the yield of the spring source will not change as a result of reconstruction of the hatchery, and all flows collected will return to the spring channel undiminished. For these reasons, no significant adverse impacts to downstream aquatic biota, aquatic habitats, or stream channel morphology are anticipated.

No Action:

This alternative does not provide facilities for improved solids removal, although permitting requirements have been met to date. Use of reduced phosphorus feed formulations, which would also be implemented as part of the Proposed Action, may be incorporated and would likely achieve moderate reductions in phosphorus discharge, slight reductions in organic nitrogen discharge, and slight reductions in suspended solids discharge. The effects of improved feeds on water quality differ from the Proposed Action only because fish production would not increase under the No Action alternative. The facility would continue to meet all UPDES permit requirements.

4.2 WETLANDS

Proposed Action:

The Proposed Action would impact an estimated maximum area of 5 acres of wetlands (Table 2). Impacts would stem from required excavation and construction of new pipelines, raceways, and related features.

Approximately 3.5 acres of that total consists of wetlands that overlay the existing water collection system on the leased Bureau parcel. The best available information indicates that, because the spring complex is not completely underlain by pipes and other associated features, direct construction-related impacts would occur on an acreage somewhat less than 3.5 acres.

Wetland areas affected by rehabilitation of the water collection system will be restored to an approximate prior condition and in accordance with permit conditions. Specific conditions designed to minimize construction impacts and maintain post-construction wetland values could include:

- 1. Installation of construction mats to minimize soil disturbance;
- 2. Installation of subsurface pipes in such a manner as to preclude active drainage along the newly constructed trenches;
- 3. Restriction of the construction footprint to the minimum necessary to accomplish the work;
- 4. Removal, storage, and replacement of disturbed soil in layers;
- 5. Incorporation of appropriate topsoil management techniques to minimize weed colonization;
- 6. Implementation of a post-construction weed monitoring and treatment program; and
- 7. Implementation of post-construction monitoring to assess changes in wetland expanse that may result from increases in water collection efficiency.

On-site mitigation measures on the leased Bureau parcel could also include rejuvenation of decadent willow stands not immediately associated with the subsurface water collection system and planting of desirable wetland species, particularly shrubs. Any mitigation activities that

might be proposed for the leased Bureau parcel will require the concurrence of the Superintendent.

On the 9-acre wetland-delineated parcel in state ownership, existing open-water ditches and ponds, comprising as much as approximately 0.7 acres, would be eliminated where practicable to minimize the potential for introduction of whirling disease. Other, smaller wetlands, primarily associated with existing pipelines, raceways, and other features will also likely be eliminated due to reconstruction. It is anticipated that construction will affect a maximum of approximately 2.0 acres of wetlands on the state-owned parcel (Figure 4b).

No Action:

This alternative would not affect jurisdictional wetlands. It would also not provide for any measures for wetland enhancement or restoration.

Table 2. Summary of Jurisdictional Wetlands at the Whiterocks Hatchery^a.

| Table 4. Samu | THE Y OF BUILDING TO THE | TALCHAIRS ACTION AND | HICH OCKS HACCHCLY | | | |
|-------------------------|--------------------------|--|--|-------|-----------|--|
| Wetland Type | Figure, Wetland | Habitat Type | Dominant Species | Total | | Affected Acres |
| | Number | | | Acres | Temporary | Permanent |
| Springs | 4a, N/A | Emergent marsh | Carex and Juncus spp. | 3.5 | <3.5 | Unknown, possible impacts |
| Seeps | | Scrub shrub | Salix lutea and S. exigua | | | due to enhanced water collection efficiency |
| Seep | 4b, 1 | Wet meadow | Carex nebrascensis Juncus articus | 0.530 | < 0.530 | 0.0 |
| Spring | 4b, 2a | Wet meadow Emergent marsh | C. nebrascensis J. articus Nasturtium officinale | 0.048 | 0.0 | 0.048 |
| Hillslope seep | 4b, 2b | Wet meadow | C. nebrascensis J. articus Equisetum hymenale | 0.305 | <0.305 | 0.15 50% loss assumed |
| Inter-raceway ditch | 4b, 3 | Open water Wet meadow fringe | N. officinale Phlaris arundinacea | 0.106 | 0.0 | 0.106 (loss primarily associated with open water) |
| Hillslope seep | 4b, 4 | Wet meadow | J. articus E. hymenale Calmagrostis canadensis | 0.137 | 0.0 | 0.0 |
| Ditch | 4b, 5 | Open water | N/A | 0.026 | 0.0 | 0.026 |
| Ditch | 4b, 6 | Open water | N/A | 0.062 | 0.0 | 0.062 |
| Excavated pond | 4b, 7 | Open water Scrub shrub margin | Salix lutea S. exigua | 0.510 | <0.510 | 0.510 (assumes elimination of settling pond) |
| Hillside seep/ Ditch | 4b, 8 | Open water Wet meadow Emergent marsh | Phragmites australis Typha latifolia E. hymenale | 0.250 | 0.250 | 0.125; 50% loss assumed (associated with loss of open water) |
| Total | | | | 5.474 | <5.095 | 1.027 + impacts due to increased water collection efficiency |

^a Modified from Western Wetlands System (2002, 2003)

4.3 NOXIOUS WEEDS/INVASIVE SPECIES

Proposed Action:

Noxious weeds may occupy sites disturbed by construction activities. Most disturbed areas on the 14-acre hatchery site owned by the state will be paved, landscaped, or otherwise revegetated as part of the reconstruction process, thereby minimizing opportunities for establishment of these species. Post-construction monitoring of any disturbed areas will be periodically scheduled and continue until appropriate ground cover has become established as part of routine facility maintenance. Infestations of noxious weeds found will be controlled using accepted methods.

Commonly accepted mitigative practices would be implemented to minimize disturbance of soils during the reconstruction of the water collection system. These techniques could include such measures as stockpiling and replacement of soil layers, a prohibition of imported soil for backfilling, the use of mats to minimize soil disturbance, etc. Similar to the state-owned parcel, post-construction monitoring of any areas of potential infestation will be periodically scheduled and continue until appropriate ground cover has become established. Weed control activities proposed on the leased Bureau parcel north of the hatchery site will require the concurrence of the Superintendent.

No Action:

Noxious weed control would continue opportunistically as part of routine facility maintenance.

4.4 RAPTOR PROTECTION

Proposed Action:

Any new power poles, transformers, or power line configurations, whether permanent or temporarily installed to facilitate construction, which might adversely affect roosting raptors or other bird species will be designed and constructed to conform to specifications recommended by the Avian Power Lines Interaction Committee (1994, 1996) to minimize the potential of bird electrocutions. Appropriate measures designed to avoid adverse impacts to raptors will be implemented (U.S. Fish and Wildlife Service 2002). No significant changes or impacts to raptor populations are anticipated.

No Action:

The present level of threat associated with existing power poles, transmission lines, and related equipment would remain unchanged.

4.5 TRAFFIC-RELATED DISTURBANCES

Proposed Action:

Facility design would begin in the late fall of 2003 or winter of 2004. Construction would begin in the spring of 2004 and be completed by spring/summer of 2005. Traffic from construction vehicles and construction workers would likely have some influence on local traffic-related congestion, noise, and dust. Heavy equipment use, such as of cement and dump trucks, would be limited to daylight hours.

Visitation at the hatchery is largely incidental, occurring as an opportunistic encounter by people already traveling in the area, rather than as a primary attraction drawing increased numbers of people to the general area. In the interest of safety, the Whiterocks Hatchery will be closed to visitors during construction.

Through common construction management practices, it is likely that these temporary impacts and inconveniences can be managed at an acceptable, minimal level. Construction access will be along the existing right-of-way via paved road connecting the hatchery site to the county road. Construction would be generally conducted during daylight hours, water would be sprayed on access roads to control dust, and litter would be collected regularly. Adjacent landowners will be informed of the construction schedule to minimize traffic-related disturbances. Appropriate cautionary signage will also be installed along the county road in the vicinity of the hatchery during the construction period.

Anticipated increases in total fish production will likely result in increases in vehicular traffic to and from the facility due to increases in deliveries of fish food and other supplies associated with production and distribution of fish for stocking. Visitation to the facility by the public will also likely increase. Increased post-construction traffic to the facility is expected to be only marginally higher than the present condition.

No Action:

Under the No Action alternative, no major construction is planned. Current levels of visitation would be expected to persist, and there will be no need to manage traffic or close the facility to visitors.

4.6 OPERATION AND MAINTENANCE

Proposed Action:

This alternative results in an annual projected increase in production of approximately 95,900 lbs of fish. The increase in total production will be dedicated to achievement of those fish need goals as defined for Project-affected waters in the *Plan*. Federal participation assists the Division in operating the Whiterocks Hatchery to meet the total production objective of 131,400 lbs annually.

The Department and the Division would share the O&M costs at the Whiterocks Hatchery under an agreement.

No Action:

Because there would be no increased production dedicated to the fulfillment of the fish need objectives described in the *Plan*, there would be no financial support provided by the Department for increases in hatchery operation and maintenance costs.

4.7 CULTURAL RESOURCES

Proposed Action:

Consultations with the State Historic Preservation Office (SHPO) regarding potential historic cultural resources that may be affected by the reconstruction of the Whiterocks Hatchery were initiated in 2001. The Division's archeologist, with the assistance of other Division staff, has compiled necessary supportive documentation of the hatchery infrastructure and has submitted this draft report to SHPO for review. Initial archeological surveys have not found cultural resources, and because of the already disturbed condition of the site, and previous ground excavation that occurred during initial construction of the water supply system, raceways, hatchery buildings and associated structures, the potential for discovery of significant archeological resources would appear to be low. Nonetheless, an archeologist will be assigned to oversee any reconstruction associated with the water supply system on the leased Bureau parcel so that appropriate procedures are followed should any cultural resources be discovered in the area of the springs.

Some of buildings and structures associated with the Whiterocks Hatchery are considered to be eligible for the National Register of Historic Places. As part of the reconstruction process, a documentation package detailing the site history and infrastructure inventory has been prepared and submitted to SHPO for review.

Consultation with SHPO and compliance with Section 106 of the National Historic Preservation Act of 1966, which would include a Memorandum of Understanding with the National Historic Preservation Council, will be completed before groundbreaking is initiated. Consultation with affected Tribal entities has been initiated and will continue.

No Action:

Under the No Action alternative, no cultural or historic consultations will be required.

4.8 THREATENED, ENDANGERED, CANDIDATE AND STATE SENSITIVE SPECIES

Proposed Action:

A "may affect" determination is made if certain conditions may potentially occur as a result of the Proposed Action. The analysis is based on the potential of the Proposed Action to:

- take a threatened, endangered or candidate species,
- cause a loss of habitat of a threatened, endangered or candidate species and/or
- disturb a species migration, dispersal, breeding, or pollination that would affect the viability of the population of a threatened, endangered or candidate species.

General life history information is described only for those species with a potential to occur in the project area: bald eagle, Western yellow bellied cuckoo, Ute ladies' tresses and smooth greensnake. Sightings and availability of habitat in the area of influence are included in the descriptions.

4.8.1 Bald eagle

4.8.1.1 Life History

Bald eagles typically nest in large ponderosa pine, Douglas-fir, and cottonwood trees. Fish and waterfowl are the primary prey, with rabbits and carrion utilized to a lesser extent. Foraging habitat consists of large, unobstructed open areas such as openings in river corridors or lakes. Eagles also concentrate around big-game winter range and consistent sources of carrion associated with road kills (Division 2002). Perching and roost sites (on large trees with open branches) and access to prey are important habitat characteristics for bald eagles during the winter. Bald eagles have yearly fidelity to the same tree for roosting and nesting. They are intolerant of human disturbance, especially during the breeding season (U.S. Fish and Wildlife Service 1986). Consequently, they normally locate perches and nest sites away from human disturbances or move them if they are disturbed (Division 2002).

Bald eagle wintering roost sites would typically be in use during the period of November through April.

4.8.1.2 Occurrence in the Assessment Area

Breeding bald eagles are only known to occur in Carbon County, Salt Lake County and Grand County. Any area below the forested slopes of the Uinta Mountains could be used by bald eagles for foraging during the winter, depending on ice conditions and perch availability (Central Utah Water Conservancy District 1996).

Wintering bald eagles are not known to occur in the Uinta River drainage (K. Paulin, U.S. Forest Service, personal communication). While they are occasionally seen in the Uinta River basin, they tend to congregate near areas of open water, such as near the White and Green Rivers. While there

are tall cottonwood trees near the hatchery residences, bald eagles have not used them for wintering roost sites.

Impacts are not anticipated to the wintering bald eagle at the Whiterocks hatchery site as the construction season is expected to be during the period of May through October. Should construction activities occur in November or later, the Commission will consult with the Service at that time.

4.8.2 Western Yellow-billed Cuckoo

4.8.2.1 Life History

The yellow-billed cuckoo is thought to be a rare breeder in lowland riparian habitats. It is usually found in large tracts of cottonwood/willow habitats with dense sub-canopies less than 33 ft in height (Division 2002).

The current distribution of yellow-billed cuckoos in Utah appears to indicate that they are an extremely rare breeder in lowland riparian habitats statewide. Yellow-billed cuckoos are one of the latest migrants to arrive and breed in Utah. They arrive in late May or early June and breed in late June through July. Cuckoos typically start their southerly migration by late August or early September.

Nesting habitat is classified as dense lowland riparian characterized by a dense sub-canopy or shrub layer (regenerating canopy trees, willows, or other riparian shrubs) within 100 m (333 ft) of water. Over story in these habitats may be either large, gallery-forming trees (33-90 ft) or developing trees (10-27 ft), usually cottonwoods. Nesting habitats are found at low to mid-elevations (2500-6000 ft) in Utah. Cuckoos may require large tracts (100-200 ac) of contiguous riparian nesting habitat; however, cuckoos are not strongly territorial and home ranges may overlap during the breeding season. Nests are usually 4-8 ft above the ground on the horizontal limb of a deciduous tree or shrub, but nest heights may range from 1-6 m (3-20 ft) and higher (Division 2002)

4.8.2.2 Occurrence in the Assessment Area

Western yellow billed cuckoo have been observed in the Uinta Basin along riparian areas of up to an elevation of 6,000 feet (F. Howe, Utah Division of Wildlife Resources, personal communication). No surveys have been conducted above this elevation.

Based on a wetland delineation of the hatchery site, the Whiterocks hatchery does not include the preferred cuckoo nesting habitat made up of cottonwoods with a dense understory of willows or other woody riparian species (Western Wetland Systems 2002). No project impacts to the western yellow-billed cuckoo are anticipated at this site.

4.8.3 Ute Ladies'-tresses

4.8.3.1 Life History

The Ute ladies'-tresses orchid occurs in wetland and riparian areas in three distinct geographic areas: the eastern great basin of Utah and Nevada, the Colorado River drainage of eastern Utah, and the eastern front of the Rocky Mountains from southern Wyoming to south of Denver (Stone 1993). All known populations of Ute ladies'-tresses in Utah inhabit wetland sites (Division 2002). Plants have most often been found in old stream channels and on recently deposited material in the floodplain of adjacent rivers (Division 2002).

The species is somewhat tolerant of disturbance of the type that helps perpetuate its apparent preference for open areas that lack dense stands of overtopping vegetation. Where vegetation, such as willows, becomes more dense, the orchid may be found in small openings and along wildlife and recreation trails.

Habitat for the Ute ladies'-tresses consists of open riparian meadows, including active floodplains and old channel locations, and spring-fed wetlands between 4,300 and 7,000 ft in elevation. The Ute ladies'-tresses has been documented along the Uinta River from its terminus at the Duchesne River up to an elevation of 6,800 ft. Suitable habitat occurs for the Ute ladies'-tresses at the Whiterocks Hatchery site.

4.8.3.2 Occurrence in Assessment Area

One flowering orchid was observed on the Whiterocks Hatchery, west of the raceways at the southern end of the site, in 1992 by Division staff (B. Franklin, Utah Division of Wildlife Resources, personal communication). Surveys for the orchid and potential habitat were conducted on the hatchery grounds on July 24 and August 13, 2003. During the August 2003 survey, three flowering plants were observed in the same area as in 1992. This area is identified as wetland 4 in the wetland delineation report addenda (Western Wetland Systems, 2003). It is a hillslope seep and is an area that will not be disturbed under the Proposed Action. Orchids were not observed in any other area on the hatchery grounds.

Potential habitat was also identified in a portion of wetland 1, located at the north end of the existing hatchery area. A small area of this wetland may be temporarily impacted when the water supply pipe is replaced. A survey to locate any orchids will take place before excavation. Any found will be avoided by small changes in the pipeline alignment, or will be transplanted in coordination with the Service.

4.8.4 Smooth Greensnake

4.8.4.1 Life History

The smooth greensnake prefers moist areas, especially moist grassy areas and meadows where the snake is camouflaged due to its solid green dorsal coloration. They occur in the Uinta Mountain range (Division 2003) and are generally found at elevations ranging from 6,000 to 9,000 ft (B. Bosworth, Utah Division of Wildlife Resources, personal communication).

4.8.4.2 Occurrence in Assessment Area

Potential habitat occurs on the Whiterocks hatchery area, within wetlands described by L. Gecy (Western Wetland Systems 2002 and 2003). The bulk of the wet meadows will not be disturbed under the Proposed Action, with the exception of the area to be excavated at the north end of the existing hatchery area. The impacts to this area will be temporary. Replacement of the water supply collection system in the area to the north of the developed hatchery grounds will change the woody scrub-shrub wetland type to more of a wet meadow wetland and should provide additional potential habitat for the smooth greensnake.

4.8.5 Conservation Measures

To avoid any potential impacts to federally-listed threatened, endangered or candidate species, especially the Ute ladies'-tresses and bald eagle, the following measures will be taken:

- an additional Ute ladies'-tresses survey will be made prior to initiation of construction,
- adjustments in the water supply pipe alignment will be made to eliminate impacts if the orchid is observed in the potential habitat located at the north end of the property,
- if pipeline alignment adjustments are not possible, any orchids found will be transplanted in coordination with the Service,
- to preclude adverse impacts during construction, existing plants will be fenced off or otherwise protected, and .
- the project construction period will be from May through October. If construction is to occur later in the fall or winter, the Commission will consult with the Service.

4.8.6 Determination of Effects

The Mitigation Commission concludes that the Proposed Action will not affect the shrubby reed-mustard, bonytail, Colorado pikeminnow, razorback sucker, humpback chub, black-footed ferret, southwestern willow flycatcher, Clay reed-mustard, Uinta Basin hookless cactus, Mexican spotted owl, mountain plover, Canada lynx, Graham beardtongue, horseshoe milkvetch, White River beardtongue or the western yellow-billed cuckoo.

The Mitigation Commission concludes that the Proposed Action with the conservation measures described above may affect, but is not likely to adversely affect, the bald eagle or the Ute ladies'-tresses orchid.

No Action:

No construction would occur, and there would be no effects to the above named species.

4.9 ENVIRONMENTAL JUSTICE AND INDIAN TRUST ASSETS

Proposed Action:

Executive Order 12989, *Environmental Justice*, requires Federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations and communities.

The Proposed Action would be implemented entirely within lands that have been devoted to the operation of the Whiterocks Hatchery for many years. Public access to the site during the construction period would be restricted and measures to minimize construction-related impacts will be implemented. Consequently, adverse impacts on the human environment are not anticipated. Therefore, the Proposed Action would not have any health or environmental effects on minority and low-income populations and communities as defined in the Environmental Protection Agency's Environmental Justice Guidance of 1988.

Indian Trust Assets are legal interests in property held in trust by the United States for federally recognized Indian Tribes or individual Indians. U.S. Department of the Interior Order 3175 requires agencies to consult with Indian tribes when trust property may be affected, and environmental and planning documents should clearly state that the rationale for the recommended decision will be consistent with the Department's trust responsibilities.

As previously referenced, the Proposed Action includes the reconstruction of the existing water collection system situated on a 20-acre parcel of trust land, immediately north of and adjacent to the hatchery site, administered by the Bureau on the behalf of the Ute Indian Tribe and leased to the Division. The current lease agreement, issued by the Bureau in 2000, will remain in effect for a period of 25 years with an option to renew for an additional 25 years. The agreement requires that the Division maintain the parcel in an agricultural status and allows the Division to capture, preserve and enhance the springs on the leased Bureau parcel for the sole continued purpose of fish culture. These lease provisions allow the Division to protect the spring source from land-use activities that might otherwise compromise water quality.

A representative of the Bureau's Uintah and Ouray Agency (Agency) has visited the hatchery site and was briefed about the project. The Agency has also requested that a copy of this Environmental Assessment be sent to their office for review. Reconstruction of the collection system will likely not extend beyond the existing alignment, and the Proposed Action is not expected to conflict with the stipulations of the existing lease agreement. In addition, the Mitigation Commission and Division will coordinate with the Agency during the design and construction process and offer opportunities for input. Consequently, it is anticipated that implementation of the Proposed Action would not adversely affect known Indian Trust Assets and

therefore would be consistent with U.S. Department of the Interior trust responsibilities. Prior to issuance of the Final Environmental Assessment and Decision Record, the Bureau will be requested to provide a letter of concurrence to the Mitigation Commission to that effect.

No Action:

There would be no construction, and consultation under the subject Executive Orders would not be required.

4.10 FLOODPLAINS AND WILD AND SCENIC RIVERS

Proposed Action:

The existing hatchery is not within the 100-year floodplain of Farm Creek. Floodplains within the Uintah and Ouray Indian Reservation have not been mapped, however, it is unlikely that the leased Bureau parcel would be considered to be within the 100-year floodplain of Farm Creek. No floodplain-related impacts or effects are anticipated.

There are no river reaches in the immediate vicinity that currently exist or have been proposed for inclusion under the Wild and Scenic Rivers System.

No Action:

Similar to the Proposed Action.

4.11 CUMULATIVE IMPACTS

Proposed Action:

A discussion of cumulative impacts includes consideration of past, current, and reasonably foreseeable future actions resulting from implementation of the Proposed Action. The existing facility has been in existence, in one form or another, since the early 1920's. The Proposed Action (complete reconstruction of the facility) represents a modernization of the existing hatchery utilizing essentially the same footprint. The area surrounding the hatchery grounds is Tribal Trust property administered by the Bureau on behalf of the Ute Tribe and is generally used for livestock grazing and forage production. There are no known planned projects in the area that may be affected by implementation of the Proposed Action.

No Action:

Reconstruction would not take place. There would be no cumulative impacts under that scenario.

Table 3. Summary of Issue-related Effects.

| ISSUE | Issue-related Effects | |
|---|--|---|
| ISSUE | Full Reconstruction (Proposed Action) | No Action |
| Water Quality | All regulated parameters (total suspended solids, total dissolved solids, and pH) will remain within limits regulated under the UPDES permit. Improved feed composition and enhanced ability to remove total suspended solids will somewhat reduce total phosphorus, nitrogen and ammonia (unregulated parameters) | Improved feed composition and enhanced ability to remove total suspended solids will somewhat reduce total phosphorus, nitrogen and ammonia (unregulated parameters). UPDES compliance will continue. |
| Wetlands | Estimated <5.5 acres of jurisdictional wetlands affected to varying degree, permanent impacts to a maximum 1.6 acres located on the state-owned parcel and unquantified impacts to wetlands associated with the spring complex. A requirement of at least 1.8+ acres (not including spring complex effects) of wetlands mitigation plus enhancements is expected. Section 404 compliance required. | No impacts to wetlands. No wetland mitigation or enhancements. |
| Noxious Weeds | Periodic monitoring and treatment of infestations, as necessary. | Infestations treated through normal facility maintenance. |
| Raptor Protection | Raptor protection measures will be incorporated when designing new power lines and associated components. | Level of hazard remains unchanged. |
| Traffic-related Disturbances | Short-term disturbances temporary and minimized through construction management. Marginal increase in post-construction visitation and traffic associated with production | No effect. |
| Operation and Maintenance | Department funds O&M costs for the increase in production at the Whiterocks Hatchery. | No Department funding for O&M. |
| Cultural Resources | Consultation with the Utah State Historic Preservation Office and Tribal entities has been initiated. Archeologist to be present during reconstruction associated with the spring complex. | No impact |
| T&E, Candidate, State Sensitive Species | Will not affect most T&E species. May affect but will likely not adversely affect bald eagle and Ute ladies'-tresses with implementation of proposed conservation measures. Smooth greensnake habitat will increase. | No impact |
| Environmental Justice / Indian Trust Assets | No significant impact or effect | Same as Proposed Action |
| Floodplains / Wild and Scenic Rivers | No significant impact or effect | Same as Proposed Action |
| Cumulative Impacts | No significant impact or effect | Same as Proposed Action |

CHAPTER 5 - LIST OF PREPARERS

The following individuals prepared this environmental assessment for the Division and the Mitigation Commission:

Eric Larson – Central Utah Project Coordinator, Utah Division of Wildlife Resources Maureen Wilson - Project Coordinator, Utah Reclamation Mitigation and Conservation Commission.

Joe Valentine - Aquatic Culture Supervisor, Utah Division of Wildlife Resources. Kathie Davies - Archeologist, Utah Division of Wildlife Resources.

CHAPTER 6 – CONSULTATION AND COORDINATION

In June 2002 a scoping notice was distributed to local government, Tribal entities, State and Federal agencies, and the interested publics informing them of the upcoming preparation of an Environmental Assessment (EA) for reconstruction of the Whiterocks State Fish Hatchery. Comments and concerns pertinent to the Proposed Action were solicited from those recipients.

Hard copies of this Draft EA will be sent to all agencies and individuals who provided written comments in response to the original scoping notice. Selected entities who may have specific interest in this project, but who did not provide scoping comments, may also receive a hard copy of the draft. All recipients of the initial scoping solicitation will receive notification that a downloadable electronic version of this document can be found on the Mitigation Commission's website.

The following agencies, entities or individuals provided input and/or will receive either copies of the EA or notices of availability for the electronic version.

FEDERAL GOVERNMENT

- U.S. Senator Robert Bennett
- U.S. Senator Orrin G Hatch

Congressman Chris Cannon

Utah Reclamation Mitigation & Conservation Commission

- U.S. Bureau of Indian Affairs Uintah and Ouray Agency
- U.S. Fish & Wildlife Service Denver Federal Center
- U.S. Fish & Wildlife Service Salt Lake City Field Office
- U.S. Fish & Wildlife Service Fort Duchesne
- U.S. Fish & Wildlife Service Jones Hole National Fish Hatchery
- U.S. Fish & Wildlife Service Ouray National Fish Hatchery
- U.S. Bureau of Reclamation Utah Projects Office
- U.S. Bureau of Reclamation Upper Colorado River Basin Office
- U.S. Army Corps of Engineers Regulatory Branch, Western Colorado Office
- U.S. Army Corps of Engineers Intermountain Section

Department of Interior - CUP Completion Act Office

- U.S. Forest Service Intermountain Region
- U.S. Forest Service Duchesne Ranger District
- U.S. Bureau of Land Management

STATE GOVERNMENT

Utah Department of Natural Resources

Utah Division of Water Rights

Utah Department of Agriculture & Food

Utah Division of State History

Utah Association of Conservation Districts
Utah Division of Water Quality
Utah Division of Facilities Construction & Management
Utah Division of Water Resources
Utah Division of Wildlife Resources
Governor's Office of Planning And Budget
Central Utah Water Conservancy District
Selected State Representatives
Selected State Senators

LOCAL GOVERNMENT

Uintah County Commission Duchesne County Commission Vernal City Roosevelt City Corporation

UTE TRIBAL GOVERNMENT

Ute Tribe Business Committee
Ute Tribe Fish & Wildlife Department
Ute Tribe Natural Resources
Ute Tribe Cultural Rights And Protection Program

OTHER

Private Individuals Uinta Basin Standard Vernal Express Salt Lake Tribune Deseret News Utah State University Brigham Young University Northwestern University Moon Lake Electric Company **Utah Cattlemens Association Utah Trout Foundation** Utah Farm Bureau Federation Angler's Inn Sportsman's Warehouse Utah Aquaculture Association Trout Of Paradise League Of Women Voters Of Utah Trout Unlimited

Utah Wildlife Federation

Uinta Mountain Club

Bonneville Chapter - American Fisheries Society

Salt Lake County Fish & Game Assn

Utah Chapter of The Wildlife Society

Utah Valley Flyrodders

High Uintas Preservation Council

Utah Wildlife Federation

Utah Bass Federation

Rocky Mountain Anglers

The Nature Conservancy

High Country Fly Fishers

Native Utah Cutthroat Association

Sportsmen For Fish And Wildlife

Utah Rivers Council

Great Salt Lake Audubon

Sierra Club Utah Chapter

Southern Utah Wilderness Alliance

Weber Basin Anglers

Cache Anglers

Utah Waters

The Wilderness Society

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Western Wetland Systems. 2003. Whiterocks Fish Hatchery, Uintah County, Wetlands Delineation-Addendum. Prepared for the Utah Division of Wildlife Resources, Salt Lake City. 11p.+ appendices.